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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

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9 TRACY WEBB,

10 Plaintiff,

11 v.

12 RENO POLICE DEPARTMENT, *et al.*,

13 Defendants.

Case No. 3:17-cv-00254-MMD-WGC

ORDER ACCEPTING AND ADOPTING  
REPORT AND RECOMMENDATION  
OF MAGISTRATE JUDGE  
WILLIAM G. COBB

14 Before the Court is the Report and Recommendation of United States Magistrate  
15 Judge William G. Cobb (ECF No. 5) ("R&R") relating to plaintiff's application to proceed  
16 *in forma pauperis* (ECF Nos. 1, 1-1.) Plaintiff had until August 16, 2017, to file an  
17 objection. To date, no objection to the R&R has been filed<sup>1</sup>.

18 This Court "may accept, reject, or modify, in whole or in part, the findings or  
19 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party  
20 timely objects to a magistrate judge's report and recommendation, then the court is  
21 required to "make a *de novo* determination of those portions of the [report and  
22 recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party  
23 fails to object, however, the court is not required to conduct "any review at all . . . of any  
24 issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).  
25 Indeed, the Ninth Circuit has recognized that a district court is not required to review a  
26 magistrate judge's report and recommendation where no objections have been filed.

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28 <sup>1</sup> Plaintiff has apparently failed to file a notice of change to her address pursuant to LR  
IA 3-1 because orders from this Court have been returned as undeliverable. (ECF Nos.  
4, 6.)

1 See *United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the  
2 standard of review employed by the district court when reviewing a report and  
3 recommendation to which no objections were made); see also *Schmidt v. Johnstone*,  
4 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (reading the Ninth Circuit's decision in  
5 *Reyna-Tapia* as adopting the view that district courts are not required to review "any  
6 issue that is not the subject of an objection."). Thus, if there is no objection to a  
7 magistrate judge's recommendation, then the court may accept the recommendation  
8 without review. See, e.g., *Johnstone*, 263 F. Supp. 2d at 1226 (accepting, without  
9 review, a magistrate judge's recommendation to which no objection was filed).

10 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to  
11 determine whether to adopt Magistrate Judge Cobb's R&R. Upon reviewing the R&R  
12 and proposed complaint, this Court finds good cause to accept and adopt the  
13 Magistrate Judge's R&R in full.

14 It is therefore ordered, adjudged and decreed that the Report and  
15 Recommendation of Magistrate Judge William G. Cobb (ECF No. 5) is accepted and  
16 adopted in its entirety.

17 It is ordered that plaintiff's application to proceed *in form pauperis* (ECF No. 1) is  
18 denied without prejudice.

19 It is further ordered that the complaint be dismissed with prejudice.

20 The Clerk is directed to enter judgment in accordance with this Order and closed  
21 this case.

22 DATED THIS 31<sup>st</sup> day of August 2017.

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25 MIRANDA M. DU  
26 UNITED STATES DISTRICT JUDGE  
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